IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit: Examiner: Unknown

Serial No.: 10/009,036 Filed: October 29, 2001

In re Application of: Sanberg et al.

For: CELL THERAPY FOR CHRONIC STROKE

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to Director of Patents, Washington, D.C. 20231 on 11/12/02. *Signed* Stephanie Davis
Name

INFORMATION DISCLOSURE STATEMENT

Director of Patents
Washington, D.C. 20231

Dear Sir:

Each item of information listed in the attached FORM PTO-1449, for which a copy of each is attached, may be material to the examination of the above-identified application and is, therefore, submitted in compliance with the duty of disclosure defined in 37 CFR §§1.56, 1.97 and 1.98. The Examiner is requested to make these items of official record in this application.

This Information Disclosure Statement under 37 CFR §§1.56, 1.97 and 1.98 is not to be construed as a representation that a search has been made, that additional information material to the examination of this application does not exist, or that any one or more of these items constitutes prior art.

I

This statement is filed pursuant to:

(X) 37 C.F.R. §1.97(b).

This information disclosure statement is filed either (1) within three months of the filing date of the national applications; (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; or (3) before the mailing date of a first office action on the merits, whichever event occurs last.

Accordingly, this information disclosure statement requires no fee and no certification.

( ) 37 C.F.R. §1.97(c).

This information disclosure statement is filed after the period specified in 37 C.F.R. §1.97(b), but before the mailing date of either (1) a final action under 37 C.F.R. §1.113 or (2) a notice of allowance under 37 C.F.R. §1.311.

Accordingly, this information disclosure statement requires either the fee specified in 37 C.F.R. § 1.17 (p) or a certification according to 37 C.F.R. §1.97(e).

( ) 37 C.F.R. §1.97(d).

This information disclosure statement is filed after the period specified in 37 C.F.R. §1.97(c).

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. §1.17(p), $180.00, for submission of an information disclosure statement under 37 C.F.R. §1.97(d), and a statement according to 37 C.F.R. §1.97(e).

37 C.F.R. §1.97(e).

( ) (1) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the statement.

( ) (2) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, or, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. §1.56(c), more than three months prior to the filing of the statement.

Accordingly, this information disclosure statement requires the fee specified in 37 C.F.R. §1.17(p), $180.00, for submission of an information disclosure statement under 37 C.F.R. §1.97(e)

If this statement crosses in the mail with an office action, or is otherwise not in the indicated category of 37 C.F.R. §1.97, it is respectfully requested that this statement be treated in the next appropriate category and made of record. To the extent required, please treat this paper as a conditional petition for acceptance of the information disclosure statement.

II

(X) No fee is due.

( ) The fee specified in 37 C.F.R. §1.17(p) for submission of an information disclosure statement under 37 C.F.R. §1.97(c), 37 C.F.R § 1.97(d), or 37 C.F.R. §1.97(e) is enclosed, $180.00.

In the event any fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No. 50-0612. A duplicate of this page is enclosed.

Respectfully submitted,
SIERRA PATENT GROUP, LTD.

Dated: Nov. 12, 2002

Barbara J. Luther

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PATENT
Docket No.: LAY-014

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Name

TRANSMITTAL LETTER

Director of Patents
Washington, D.C. 20231

Sir:

Enclosed please find the following:

1. Information Disclosure Statement;
2. Form PTO-1449
3. Copies of 28 References.

In the event any additional fee is required for filing the above-noted document, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of attached document timely, the Assistant Commissioner is hereby authorized to charge the fee to our Deposit Account No.: 50-0612. A duplicate copy of this page is enclosed.

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Form PTO 1449 (Rev. 2-32) U.S. Department of Commerce Patent and Trademark Office	Atty. Docket No. LAY-014	Serial No. 10/009,036
Information Disclosure Statement by Applicant	Applicant: Sanberg et al.	
(Use several sheets if necessary)	Filed: October 29, 2001 Group: Unknown	

U.S. Patent Documents

Init.		Document No.	Date	Name	Class	Subclass	Filing Date
	1	5,411,883	05/02/1995	Boss et al.	435	240.2	08/12/1992
	2	5,645,183	07/08/1997	Slat et al.	215	12.2	11/02/1995
	3	5,753,491	05/19/1998	Major et al.	435	240.2	06/06/1995
	4	5,753,505	05/19/1998	Luskin	435	375	07/06/1995
	5	5,766,948	06/16/1998	Gage et al.	435	368	11/03/1993
	6	5,827,736	10/27/1998	Heller et al.	435	346	01/09/1997
	7	5,830,460	11/03/1998	Sanberg et al.	424	93.7	03/13/1995
	8	5,849,988	12/15/1998	Trojanowski et al.	800	2	06/17/1994
	9	5,851,832	12/22/1998	Weiss et al.	435	368	06/07/1995

Examiner	Date Considered

Examiner: Initial if citation considered, whether or not citation is in conference with MPEP 609; Draw line through citation if not conformance and not considered. Include a copy of this form with the next communication to applicant.

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Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	10	F. Mahoney, MD et al., "Functional Evaluation: The Barthel Index", Maryland State Medical Journal, pp. 61-65, February 1965.
	11	P. Andrews et al. "Pluripotent Embryonal Carcinoma Clones Derived from the Human Teratocarcinoma Cell Line Tera-2: Differentiation *in Vivo* and *in Vitro*", Laboratory Investigation, Vol. 50, No. 2, pp. 147162 1984 (no month).
	12	P. Andrews, "Retinoic Acid Induces Neuronal Differentiation of a Cloned Human embryonal Carcinoma Cell Line *in Vitro*", Developmental Biology, Vol. 103, pp.285-293, 1984 (no month)l.
	13	T. Brott, MD et al., "Measurements of Acute Cerebral Infarction: A Clinical Examination Scale", Stroke, Vol. 20, No. 7, pp. 864-870, July 1989.
	14	G. Ronnett et al., "Human Cortical Neuronal Cell Line: Establishment from a patient with Unilateral Megalencephaly", Science, Vol. 248, pp. 603-605, May 4, 1990.
	15	J Ware, Jr. et al., "The MOS 36-Item Short-Form Health Survey (SF-36)", Medical Care, Vol. 30, No. 6, pp. 473-483, June 1993.
	16	S. J. Pleasure et al., "Ntera 2 Cells: A Human Cell Line Which displays Charteristics Expected of a Human Committed Neuronal Progenitor Cell", Journal of Neuroscience Research, Vol. 35, pp. 585-602, 1993 (no month)
	17	M. Poltorak et al., "Human Cortical Neuronal Cell Line (HCN-1) FURTHER In Vitro Characteerization and Suitability For Brain Transplantation", Cell Transplantion, Vol. 1, pp. 3-15, 1992 (no month).
	18	J. Trojanowski et al., "Neurons Derived from a Human Teratocarcinoma Cell Line establish Molecular and Structural Polarity Following Transplantation into the Rodent Brain", Experimental Neurology, Vol. 122, pp. 283-294, 1993 (no month).
	19	L. Hantson, MSc et al., "The European Stroke Scale", Stroke, Vol. 25, No. 11, pp. 2215-2219, November 1994.
	20	G. Ronnett et al., "Human Cerebral Cortical Cell Lines From Patients With Unilateral Megalencephaly And Rasmussen's Encephalitis", Neuroscience, Vol. 63, No. 4. pp 1081-1099, 1994 (no month).
	21	S. Kleppner et al., "Transplanted Human Neurons Derived From a Teratocarcinoma Cell Line (NTera-2) Mature, Integrate, and Survive for Over 1 Year in the Nude Mouse Brain", J. Comp. Neurol., Vol. 357, pp. 618-632, 1995 (no month).
	22	O. Lazarov-Spiegler et al., "Transplantation of activated macrophages overcomes central nevous system regrowth failure", The FASEB Journal, Vol. 10, pp. 1296-1302, September 1996.
	23	M. Miyanono et al., "Long-Term Integration and Neuronal differentiation of Human embryonal Carcinoma Cells (Nteera-2) Transplanted Into the Caudoputamen of Nude Mice", Journal of Comparative Neurology, Vol. 876, pp. 603-613, 1996 (no month).
	24	D. Bonn, "First cell transplant aimed to reverse stroke damage", The Lancet, Vol. 352, p. 119, July 11, 1998.
	25	C. V. Borlongan et al., "Viability and Survival of hNT neurons Determine Degree of Functional Recovery in grafted Ischemic Rats", NeuroReport, Vol. 9, No. 12, pp. 2837-2842, August 24, 1998.
	26	J. Flax et al., "Engraftable human neural stem cells respond to developmental cues, replace neurons, and express foreign genes", Nature Biotechnology, Vol. 16, pp. 1033-1039, November 1998.

Examiner	Date Considered

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Information Disclosure Statement by Applicant	Applicant:
(Use several sheets if necessary)	Filed: Group:

Other Documents (Including Author, Title, Date, Pertinent Pages, etc.)

	27	M. Simm, "Nachschub für die grauen Zellen", [Internet] <URL:http://www.BerlinOnline.de/.bin/print.php/wissen/Berliner_zeitung/archiv/1999/0303/wissenschaft/0002/index.html?keywords=Nachschub%20f%FCr%die%20grauen%20Zellen%20&ok=OK%21&match=strict&author=&resort=Wissenschaft&von=1.2.199&bis=1.5.1999&mark=zellen%20nachschub%20die%20grauen%20fur%2Of%FCr>., 3 pages, March 3, 1999 and English translation of article.
	28	LAYTONBIO: "Press releases number: 24, 26, 27, 28, 29, 30,31(j) and (k)", [Internet] www.laytonbio.com/whatsnew.htm. pp. 1-11, March 9, 1998 – February 5, 1999.